

Senate Judiciary Committee Amendment No. 1 (Kyle)

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2686*

House Bill No. 3144

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting Section 2 and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 23, Chapter 1, Part 1, is further amended by adding the following new section to be appropriately designated:

Section 23-1-1__.

(a) Notwithstanding the provisions of any law to the contrary, in addition to duties imposed pursuant to § 16-3-803 or otherwise, it shall be the duty of the administrative director of the courts to:

(1) exercise general supervisory and regulatory authority over mandatory continuing legal education and over certification of specialization for attorneys licensed to practice law in the state of Tennessee;

(2) in accordance with Title 4, Chapter 5, promulgate and enforce rules setting forth policies, procedures and requirements governing such continuing legal education and such certification of specialization; and

(3) prepare and submit an annual report on continuing legal education and specialization to the supreme court and the general assembly.

(b) In promulgating the rules required by subdivision (a)(2), the administrative director of the courts shall review and evaluate policies, procedures and requirements in effect for attorneys prior to the effective

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date of this act, and may adopt such policies, procedures and requirements in whole or in part.

(c) The provisions of subsection (a) shall be implemented by the administrative director of the courts within existing resources and the total fees collected for continuing legal education and for certification of specialization shall not be increased above the level collected during the year preceding the effective date of this act. To such end, on the effective date of this act, all fiscal, property, personnel and other resources, (currently utilized by the state of Tennessee exclusively or primarily for general supervision and/or regulation of mandatory continuing legal education and/or for certification of specialization for attorneys licensed to practice law in the state of Tennessee), shall be transferred to the administrative director of the courts.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect July 1, 1998, the public welfare requiring it.

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